

SCHEDULE 3

Regulation 21

ADDITIONAL REQUIREMENTS, OR FACTORS OR CRITERIA WHICH MAY BE TAKEN INTO ACCOUNT, IN A LOCAL AUTHORITY'S FORMULA UNDER REGULATION 21

PART 1

Applicable only to Budget Shares for Maintained Schools (other than Special Schools, Pupil Referral Units and Nursery Schools)

1. A single sum for primary schools—
 - (a) other than middle schools, of an equal amount to be given to each school of up to £175,000 per school; and
 - (b) which are middle schools, of an amount to be calculated per school in accordance with the middle school single sum formula.
2. A single sum for secondary schools—
 - (a) other than middle schools, of an equal amount to be given to each school of up to £175,000 per school; and
 - (b) which are middle schools, of an amount to be calculated per school in accordance with the middle school single sum formula.
3. In respect of pupils at key stages 1 and 2, a single per pupil amount based on the total of—
 - (a) the number of pupils in Years 3 to 6 who did not achieve the expected development in relation to the relevant early learning goals in the Early Years Foundation Stage Profile under the 2012 Document, the 2014 Document or the 2017 Document; and
 - (b) where—
 - (i) a school has pupils in Year 3, the number produced by multiplying together—
 - (aa) the proportion of pupils in that year in the school who did not achieve that expected development; and
 - (bb) the total number of pupils in Year 1 and Year 2 in the school; or
 - (ii) a school has no pupils in Year 3, the number produced by multiplying together—
 - (aa) the proportion of pupils in that year in all the maintained schools (other than special schools and pupil referral units) and Academy schools (other than special academies and alternative provision Academies) in the local authority's area who did not achieve that expected development, or, if the authority prefers, the proportion of pupils in Year 2 in the school in the previous year who did not achieve that expected development in that previous year; and
 - (bb) the total number of pupils in Year 1 and Year 2 in the school.
4. In respect of pupils at key stages 3 and 4, a single per pupil amount based on the total of—
 - (a) the number produced by multiplying the total of the following number of pupils by 0.58—
 - (i) the number of pupils assessed under the 2017 ARA as achieving a scaled score of 99 or lower in the mathematics or English reading tests (or both) referred to in section 4 of the 2017 ARA; and
 - (ii) the number of pupils not falling within paragraph (i) who were given a teacher assessment standard of 'working towards the expected standard', or lower, in English writing, referred to in section 7 of the 2017 ARA;

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- (b) the number produced by multiplying the total of the following number of pupils by 0.64—
 - (i) the number of pupils assessed under the 2018 ARA as achieving a scaled score of 99 or lower in the mathematics or English reading tests (or both) referred to in section 4 of the 2018 ARA; and
 - (ii) the number of pupils not falling within paragraph (i) who were given a teacher assessment standard of ‘working towards the expected standard’, or lower, in English writing, referred to in section 7 of the 2018 ARA;
 - (c) the number produced by multiplying the total of the following number of pupils by 0.65—
 - (i) the number of pupils assessed under the 2019 ARA as achieving a scaled score of 99 or lower in the mathematics or English reading tests (or both) referred to in section 5 of the 2019 ARA; and
 - (ii) the number of pupils not falling within paragraph (i) who were given a teacher assessment standard of ‘working towards the expected standard’, or lower, in English writing, referred to in section 8 of the 2019 ARA; and
 - (d) the number produced by multiplying the total of the following number of pupils by 0.65—
 - (i) where a school has pupils in Year 9, the number produced by multiplying together—
 - (aa) the proportion of pupils in that year who fell within sub-paragraph (c)(i) or (ii); and
 - (bb) the total number of pupils in Year 7 and Year 8 in the school; or
 - (ii) where a school has no pupils in Year 9, the number produced by multiplying together—
 - (aa) the proportion of pupils in that year in all the maintained schools (other than special schools and pupil referral units) and Academy schools (other than special academies and alternative provision Academies) in the local authority’s area who fell within sub-paragraph (c)(i) or (ii), or, if the authority prefers, the proportion of pupils in Year 8 in the school in the previous year who did not achieve that expected development in that previous year; and
 - (bb) the total number of pupils in Year 7 and Year 8 in the school.
- 5.** A single per pupil amount for each pupil, based on the number of pupils in Year 1, Year 2 and at key stage 2 whose first language is not English, where—
- (a) the pupil was not recorded as attending a school or schools in England on any school census before 3rd October 2019;
 - (b) the pupil was not recorded as attending a school or schools in England on any school census before 1st October 2020; or
 - (c) the pupil was not recorded as attending a school or schools in England on any school census before 7th October 2021.
- 6.** A single per pupil amount for each pupil, based on the number of pupils at key stages 3 and 4 whose first language is not English, where—
- (a) the pupil was not recorded as attending a school or schools in England on any school census before 3rd October 2019;
 - (b) the pupil was not recorded as attending a school or schools in England on any school census before 1st October 2020; or
 - (c) the pupil was not recorded as attending a school or schools in England on any school census before 7th October 2021.

7.—(1) Where the total number of pupils to whom sub-paragraph (2) applies is more than 6% of the total number of pupils at key stages 1 and 2 in the school, a single per pupil amount for every pupil in excess of that 6%.

(2) This sub-paragraph applies to pupils at key stages 1 and 2 who—

- (a) joined the school in the previous three academic years and were first recorded on the school census in a spring or summer term; or
- (b) where the school was open before 17th January 2020, were not recorded on the school census of that date but were first recorded on the school census of 1st October 2020 as having an entry date after 17th January 2020 and before 22nd May 2020,

excluding pupils who joined the school in the nursery class, if the school has such a class, and pupils who joined the school in the reception class in January 2020.

8.—(1) Where the total number of pupils to whom sub-paragraph (2) applies is more than 6% of the total number of pupils at key stages 3 and 4 in the school, a single per pupil amount for every pupil in excess of that 6%.

(2) This sub-paragraph applies to pupils at key stages 3 and 4 who—

- (a) joined the school in the previous three academic years and were first recorded on the school census in a spring or summer term; or
- (b) where the school was open before 17th January 2020, were not recorded on the school census of that date but were first recorded on the school census of 1st October 2020 as having an entry date after 17th January 2020 and before 22nd May 2020.

9. A single per pupil amount, based on the number of pupils who were looked after children on 31st March 2021.

10. Funding for schools with split sites, where the funding must be in accordance with criteria published by the authority.

11. Non-domestic rates payable in respect of the premises of each school (including actual or estimated cost).

12. Payments in relation to a private finance initiative (including actual or estimated cost).

13. Differential costs at schools in the county councils of Buckinghamshire, Essex, Hertfordshire, Kent or West Sussex due to the schools' being in different London salary weighting areas.

14.—(1) In respect of all primary schools to which sub-paragraph (2) applies, other than those which are middle schools or all-through schools, an amount (“final value”) calculated in accordance with sub-paragraphs (3) to (5).

(2) This sub-paragraph applies where—

- (a) in respect of those pupils for whom the school is their home school, the number which represents the average of the road distances between each pupil's home and their second closest compatible school is greater than 80% of a distance determined by the local authority, which must not be less than two miles, and the same distance must be applied to all such schools; and
- (b) the number which represents the average size of a year group at the school (derived by dividing the number of pupils by the number of year groups) is less than a number determined by the local authority as applying to all such schools, which must be no more than 21.4.

(3) First, the year-group weighting is calculated in accordance with whichever one of the following methods the local authority prefers—

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- (a) a value of 1, with each school being allocated the same weighting;
 - (b) a value of the amount $(1 - A/B)$; or
 - (c) a value determined as follows—
 - (i) if A is less than $0.5 \times B$, the value of 1;
 - (ii) if A is equal to or more than $0.5 \times B$, the value of $1 \times (1 - ((A - (0.5 \times B)) / (0.5 \times B)))$.
- (4) Next, a distance weighting is calculated in accordance with whichever of the following methods the local authority prefers—
- (a) a value of 1, with each school being allocated the same weighting; or
 - (b) a value determined as follows—
 - (i) if D is equal to or greater than C , the value of 1;
 - (ii) if D is less than C but greater than $0.8 \times C$, the value of $1 - (C - D) / (0.2 \times C)$.
- (5) The final value is the amount given by multiplying the year-group weighting, the distance weighting and the lump-sum funding for sparsity determined by the local authority and that lump sum must not exceed £100,000.
- (6) The local authority must use the same method of calculating the final value in accordance with sub-paragraphs (3) to (5) in respect of all schools to which sub-paragraph (2) applies.
- (7) For the purposes of this paragraph—
- A is the number which represents the average size of a year group at the school (derived by dividing the number of pupils by the number of year groups);
- B is the number determined by the authority in accordance with sub-paragraph (2)(b);
- C is the number determined by the authority in accordance with sub-paragraph (2)(a);
- D is the number which represents the average road distance for the school (calculated by identifying all the pupils for whom the school is their closest compatible school and calculating the average road distance from these pupils' home postcodes to their second closest compatible school).

15.—(1) Where sub-paragraph (2) applies in respect of secondary schools, primary schools which are middle schools and primary schools which are all-through schools, an amount (“final value”) calculated in accordance with sub-paragraphs (3) to (5).

- (2) This sub-paragraph applies where—
- (a) in respect of those pupils for whom the school is their home school, the number which represents the average of the road distances between each pupil's home and their second closest compatible school is greater than 80% of a distance determined by the local authority which must not be less than—
 - (i) two miles in respect of middle schools;
 - (ii) two miles in respect of all-through schools; and
 - (iii) three miles in respect of secondary schools other than middle schools or all-through schools; and
 - (b) the number which represents the average size of a year group at the school (derived by dividing the number of pupils by the number of year groups) is less than a number determined by the local authority, which must be no more than—
 - (i) 69.2 in respect of middle schools;
 - (ii) 62.5 in respect of all-through schools; and
 - (iii) 120 in respect of secondary schools other than middle schools or all-through schools,

and the same number must be applied to all the schools of each type listed in this sub-paragraph.

(3) First, the year-group weighting is calculated in accordance with whichever one of the following methods the local authority prefers—

- (a) a value of 1, with each school being allocated the same weighting;
- (b) a value of the amount $(1 - A/B)$; or
- (c) a value determined as follows—
 - (i) if A is less than $0.5 \times B$, the value of 1;
 - (ii) if A is equal to or more than $0.5 \times B$, the value of $1 \times (1 - ((A - (0.5 \times B)) / (0.5 \times B)))$.

(4) Next, a distance weighting is calculated in accordance with whichever of the following methods the local authority prefers—

- (a) a value of 1, with each school being allocated the same weighting; or
- (b) a value determined as follows—
 - (i) if D is equal to or greater than C , the value of 1;
 - (ii) if D is less than C but greater than $0.8 \times C$, the value of $1 - (C - D) / (0.2 \times C)$.

(5) The final value is the amount given by multiplying the year-group weighting, the distance weighting and the lump-sum funding for sparsity determined by the local authority and that lump sum must not exceed £100,000.

(6) The local authority must use the same method of calculating the final value in accordance with sub-paragraphs (3) to (5) in respect of all schools to which sub-paragraph (2) applies.

(7) For the purposes of this paragraph—

A is the number which represents the average size of a year group at the school (derived by dividing the number of pupils by the number of year groups);

B is the number determined by the authority in accordance with sub-paragraph (2)(b);

C is the number determined by the authority in accordance with sub-paragraph (2)(a);

D is the number which represents the average road distance for the school (calculated by identifying all the pupils for whom the school is their closest compatible school and calculating the average road distance from these pupils' home postcodes to their second closest compatible school).

PART 2

Applicable only to Budget Shares for, and Amounts to be Allocated to, Providers of Funded Early Years Provision

- 16. The rurality or sparsity of the population of the area.
- 17. Pupils and children whose first language is not English.
- 18. The qualifications of staff.
- 19. The estimated cost of sharing expertise with other early years providers.
- 20. The degree to which providers offer flexible provision to parents.